

**UNITED STATES DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL NO. 1456

Civil Action No. 01-CV-12257-PBS

THIS DOCUMENT RELATES TO:

Judge Patti B. Saris

*State of Montana v. Abbott Laboratories Inc., et
al.*, CA No. 02-CV-12084-PBS



[PROPOSED] STIPULATION AND ORDER

IT IS HEREBY STIPULATED, by and between the undersigned, that, pursuant to the Conditional Remand Order of the United States Judicial Panel on Multidistrict Litigation, dated September 24, 2007, the attached Exhibit A designates the contents of the record to be remanded to the District of Montana.

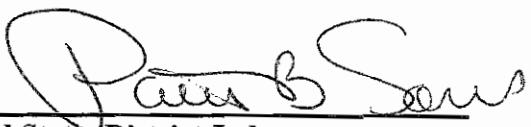
**HAGENS BERMAN SOBOL SHAPIRO
ON BEHALF OF PLAINTIFF**

By:/s/ Jeniphr A.E. Breckenridge

Steve W. Berman
Jeniphr A.E. Breckenridge
HAGENS BERMAN SOBOL
SHAPIRO LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292
Fax: (206) 623-0594

November 28
Dated: ~~October~~, 2007

SO ORDERED:



United States District Judge

**PERKINS COIE LLP
FOR IMMUNEX CORPORATION AND
ON BEHALF OF ALL DEFENDANTS**

By:/s/ Kathleen M. O'Sullivan

David J. Burman
Kathleen M. O'Sullivan
PERKINS COIE LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206-359-8000
Fax: 206-359-9000